

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JUNE 29, 2015 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Lamm, Raybould, City Clerk, Teresa J. Meier; Absent: Gaylor Baird.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

RAYBOULD Having been appointed to read the minutes of the City Council proceedings of June 15, 2015, reported having done so, found same correct.

Seconded by Camp and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**PUBLIC HEARING**

APPLICATION OF FRED WANISKA DBA THE BIG ROOM EVENT CENTER FOR A CLASS I LIQUOR LICENSE AT 2310 NORTH 1ST STREET, SUITES 7, 8 & 9;

MANAGER APPLICATION OF FRED WANISKA FOR FRED WANISKA DBA THE BIG ROOM EVENT CENTER AT 2310 NORTH 1ST STREET, SUITES 7, 8 & 9 - Fred Waniska, 2310 N 1st St, came forward and took the oath. He confirmed that the business name is actually "The Big Room Event Center" which serves food, beverages and provides some catering. He said they offer space for wedding receptions, baptisms, fund raisers, graduations, church events and anniversaries.

This matter was taken under advisement.

APPLICATION OF RSB VOLLEYBALL, INC. DBA PLAYMAKERS SPORTS BAR & GRILL FOR A CLASS C LIQUOR LICENSE AT 640 WEST PROSPECTOR COURT, #100.;

MANAGER APPLICATION OF RYAN D. SCHEER FOR RSB VOLLEYBALL, INC. DBA PLAYMAKERS SPORTS BAR & GRILL AT 640 WEST PROSPECTOR COURT, #100 - Michael Rierden, 645 M St., #200, and Ryan Scheer, Manager, came forward and took the oath. Mr. Rierden stated that Mr. Scheer has successfully completed the servers education class.

This matter was taken under advisement.

APPLICATION OF BARKEL ENTERPRISES, INC. DBA PANIC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 100 FEET BY 50 FEET AT 200 SOUTH 18TH STREET ON JULY 10 & 11, 2015 FROM 10:00 A.M. TO 2:00 A.M. - Kara Kugler, 200 S. 18<sup>th</sup> St, came forward and stated that this was an annual event that has been held for the last 8 to 9 years. It does involve closing the city street and Star City Pride has their own permits for that. She said there is an outside security company that has been used for the last 4 years.

This matter was taken under advisement.

APPLICATION OF ZOO BLUES, INC. DBA ZOO BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 423 FEET BY 264 FEET AT 14TH STREET BETWEEN O AND P STREETS ON JULY 10, 2015 FROM 4:00 P.M. TO 1:30 A.M. AND JULY 11, 2015 FROM NOON TO 1:30 A.M. - Pete Waters, 136 N. 14<sup>th</sup> St, came forward and stated that this is an annual event and they don't anticipate any change from previous years.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 786 FEET BY 428 FEET, LABELED FESTIVAL SPACE ON MAP 1, OUTDOOR AREA MEASURING APPROXIMATELY 176 FEET BY 83 FEET, LABELED STADIUM TERRACE ON MAP 1, AND OUTDOOR AREA MEASURING APPROXIMATELY 2,082 FEET BY 18 FEET, LABELED PEDESTRIAN BRIDGE ON MAP 1 AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON JULY 16, 2015 FROM 10:00 A.M. TO 9:00 P.M. - Tom Lorenz, 400 N. 8<sup>th</sup> St., General Manager of Pinnacle Bank Arena, came forward and stated that this was in association with the Kenny Chesney Show being held July 16<sup>th</sup>. The show has two large sponsors, Corona and Blue Chair Rum, that are part of the traveling production. He said the Pinnacle Bank Arena is able to provide set up space for these sponsors.

This matter was taken under advisement.

**REGULAR MEETING**  
**JUNE 29, 2015**  
**PAGE 74**

APPLICATION OF ZIPLINE BREWING CO., LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON JULY 3, 2015 FROM 1:00 P.M. TO 9:00 P.M. - Tom Wilmoth, 2100 Magnum Circle, Ste 1, came forward and gave a brief overview of the event.

This matter was taken under advisement.

APPLICATION OF Y.A.M.S., INC. DBA JOYSTICKS ARCADE BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF BW&R CANOPY, LLC DBA BUFFALO WILD WINGS AND RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF PEACE A PIE, LLC DBA MELLOW MUSHROOM FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF BREEZY ISLAND, LLC DBA BREEZY ISLAND FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELLS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF YIN FAMILY, LLC DBA HIRO88 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M.;

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - Tessa Warner, 440 N. 8<sup>th</sup> St., representing the businesses of the Railyard, came forward and stated they are making sure they can accommodate the numbers that usually come with a concert. They do plan to close Canopy street from Q to R Street, but parking garages will still be accessible. Discussion followed.

This matter was taken under advisement.

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 42 FEET AT 1412 O STREET ON JULY 17, 2015 FROM 2:00 P.M. TO 2:00 A.M.;

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 42 FEET AT 1412 O STREET ON AUGUST 29, 2015 FROM 1:00 P.M. TO 2:00 A.M. - Scott Hatfield, 1412 O St., Duffy's Tavern, came forward and stated that they have done these events a number of times and they utilize the large parking lot behind the bar.

This matter was taken under advisement.

APPLICATION OF KURT KONTOR DBA 501 BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 90 FEET BY 90 FEET AND INDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 50 FEET AT 501 WEST A STREET ON JULY 18, 2015 FROM 8:00 A.M. TO 2:00 A.M. - Kurt Kontor, 501 West A St., came forward and stated this was their second year for this event which is a Poker Run/Fundraiser for seeing eye dogs for the blind.

This matter was taken under advisement.

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1500 FEET BY 400 FEET AT LINCOLN CHILDREN'S ZOO AT 1222 SOUTH 27TH STREET ON JULY 11, 2015 FROM 6:00 P.M. TO 11:00 P.M. - John Chapo, 1222 S 27<sup>th</sup> St., Lincoln Children's Zoo, came forward and stated this was their annual adults only fund raising event called Brews at the Zoo. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2015 - Susan Dormer, 4914 Martin St., came forward and gave handouts of newspaper articles regarding significant floods that have occurred in Lincoln throughout the years. Discussion followed.

Allan Sackett, 1947 N. 29<sup>th</sup> St., came forward and stated the City's responsibility in monitoring the sewer lines. He felt the City violated his home and his family and everyone in his neighborhood had sewage in their basement. Those who had filed claims have received denial letters. Discussion followed.

Carlos Garcia, 4111 Cleveland Ave, came forward and stated his frustration with the sewer infrastructure and the City's lack of maintenance. He said he had filed a claim which was denied and has not received any letter regarding a recovery program. Discussion followed.

Rick Peo, Assistant City Attorney, came forward and stated that today the Law Department mailed out letters to those who filed formal claims as well as to those who had contact with the Public Works Department. The letter outlines the assistance program and guidelines.

Andrew Ross, 6830 Marcus Rd., came forward regarding his property at 4345 Judson. He said he immediately cleaned up from the first event in October and filed a claim. The second event was significantly worse for him. His tenant lost everything and their claim would be filed under the last name of Hill. He asked for his material back that was sent to the City Attorney with his first claim and has not yet filed a claim regarding the 2<sup>nd</sup> event yet. He finds it a little odd that recovery is only for clean up and not for anything that was rebuilt. Discussion followed.

Donna Garden, Public Works Dept., came forward and gave an overview of what Public Works is reviewing as far as improving the system. She said the process could take 6 months.

Mr. Peo stated the recovery claim process covers each storm and there is a \$5,000 dollar maximum available and it is a first come first service basis. He encouraged the public to get their forms in promptly and offered the contact name of Marcee Brownlee in the City Attorney's office. Discussion followed.

Marvin Griggs, 4517 Baldwin Ave #2, came forward and said he lost everything and his claim from the October storm was denied. He cannot live in his current residence as it has been condemned and was in the process of submitting a claim for the May storm. Mr. Griggs was encouraged to apply for the recovery relief program.

Sean Pospisil, 4415 Judson, came forward with questions regarding what to charge for the work he did cleaning his home as he did it himself. Discussion followed.

Council Member Christensen stated that Neighborworks will be administrating this disaster relief program and they can be contacted for questions and help in filling out forms.

Richard Avila, 4420 Judson St., came forward and stated he was affected by both storms and wasn't sure if he would be wasting his time turning in another claim. He felt there has been no communication, and that the City does not care and does not believe there is a recovery claim letter.

Council Chair Fellers encouraged Mr. Avila and the public to contact the City Law Dept. and Neighborworks for assistance with the disaster relief program application. He said that should they still have questions, they can also contact City Council Members.

Brian Michel, 6441 X St., came forward regarding his property at 3811 St. Paul. He wanted to thank Cathy Danek for the neighborhood meeting she organized as well as the Council Members who attended. He wanted to verify that there would be a recovery letter and application sent out which he thought should have been made available at the Council meeting. Discussion followed.

Habib Rubeiz, 6655 N. 148<sup>th</sup> St., came forward regarding his property at 1912 N 29<sup>th</sup> St. During the sewage back up, his tenant lost electricity in the basement as well as the major appliances. He questioned if there would be any type of tax relief on finished basements.

Council Member Eskridge said Mr. Rubeiz could certainly make an appeal as to the value of his property through the County Assessor's website.

Sherry Iromuanya, 1925 N. 29<sup>th</sup> St., came forward and questioned if a FEMA claim was separate from the disaster recovery relief. Council Chair Fellers responded that it was a separate program and that FEMA funds were not available for this type of event. Ms. Iromuanya was also told that applying for FEMA would not conflict with the City's recovery relief program.

Susan Dormer, 4914 Martin St., came forward again and said that if you had flood insurance the disaster recovery will not cover it, so don't waste your time filling out a claim.

Inna Strilkivsky, 2030 N. 29<sup>th</sup> St., came forward and stated that she does not agree with the two denial letters she received. She said she does not believe that reimbursement from the recovery relief program will happen.

Stephanie Sullivan, 4420 Judson St., came forward and made reference to the letter she received from the City. She expressed her fear and panic any time there was a heavy rain. She was concerned regarding the lack of response she received when she called into a City office and is still waiting for further information. Discussion followed.

Mr. Peo came forward and said 130 letters were sent out to those who had their claims denied and letters will be sent to those who had called into Public Works and left their names. Discussion followed.

Miki Esposito, Public Works Director, came forward and said she can make a promise to work with their web manager to get some information on the City's website including the recovery relief application within the week.

This matter was taken under advisement.

APPROVING THE FISCAL YEAR 2015 ANNUAL ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS USING COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG), HOME, AND EMERGENCY SOLUTIONS GRANTS (ESG) FUNDS - David Landis, Urban Development Director, came forward and stated HUD expects an annual update of the plan. The plan has to have approval from Council before being submitted to HUD. The total amount of money available is 2.6 million dollars to be spent on emergency housing repairs, rehabilitation, first- time home buyer programs,

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 76**

down payment assistance, community development, the American Jobs Center and out to agencies working in the homelessness field. The money received has been going down slightly each year, but part of the City's obligation is to provide HUD with a plan.

This matter was taken under advisement.

**SPECIAL PERMIT 15032 - APPLICATION OF ST. TERESA CHURCH TO CONSTRUCT A PARKING LOT IN A RESIDENTIAL DISTRICT WITH A REDUCTION OF THE FRONT AND SIDE YARD SETBACKS, ON PROPERTY GENERALLY LOCATED AT 710 SOUTH 36TH STREET** - Justin Johnson, 3600 J St., came forward and stated that the church acquired a house to the south of the school and the house will be moved to a different location. The extra property will be used for a parking lot and an expansion of the playground for the school.

This matter was taken under advisement.

**SPECIAL PERMIT 15025 - APPLICATION OF GOOD SHEPHERD LUTHERAN CHURCH TO CONSTRUCT A 100-FOOT BROADCAST TOWER AT GOOD SHEPHERD LUTHERAN CHURCH, ON PROPERTY GENERALLY LOCATED AT 3825 WILDBRIAR LANE. (MTA #1)** - Nik Sandman, 4501 Hallcliffe Rd, representing the radio station that will be using the tower, came forward and stated the Planning Commission has given their approval, but there has been an appeal made by the neighborhood association. He has spoken to Campbell's Nursery in regards to a plan providing landscape screening. He gave a copy of the plan to the neighborhood association but has not heard back from them yet.

Steve Henrichsen, Planning Dept., came forward and stated the appeal included a change in the actual location. He said if there is an additional landscaping plan which is acceptable to neighbors, it would need to be added as a condition by the City Council that the site plan shown be revised. Discussion followed.

Kathy Siefken, 5631 Coyote Cir, Vice President of the Briarhurst West Neighborhood Association, came forward and stated they have been meeting with Nik Sandman. They are not opposed to the tower, but the location of the tower. They are asking for the placement of 3 to 5 Blue Spruce trees, 10ft to 5ft., and a small line of trees to be put in this fall or next spring. The current proposal is not what the neighbors had asked for so a deal has not been negotiated. They are asking that the Special Permit be denied. Discussion followed.

Rick Peo, Assistant City Attorney, said one option would be to continue to the public hearing and allow the parties to get together and come up with a mutual solution to present. Another option would be that Council could impose conditions of approval. He reminded Council that the City does not have a voice in private covenants, and the permit for a broadcast tower has to be in the name of the church as the permittee.

Bob Van Valkenburg, 7921 Reno Rd., came forward and said his intention was to try and help this project go. He said his pastor was probably one of the very best speakers and pastors in the United States and felt the issues that need to be addressed need to be in writing. He stated there is a separate non-profit corporation which is formed by Mr. Sandman which is not Good Shepherd Lutheran Church, and we have Good Shepherd Church which was formed in 1977 and has certain requirements when people sign off or okay projects like this. He said he spoke to the owners regarding this project, and are looking at about \$50,000 dollars. He questioned if the tower was needed at all and said in last Sunday's church bulletin it talked about being on Live 365. 365 is a private profit making corporation that allows people to build their own radio stations, and those transmissions can be reached all over the world. He said he spoke to a professor of broadcast journalism and asked their opinion about this station, he was told the way their church should go is to do it online. Good Shepherd already has a website and Mr. Van Valkenburg highly recommended it. He said the question was how, when and who do you offend and who do you make mad and can you afford it. He stated his church is approximately \$3 million dollars in debt and questioned the logic and reason of this and said these people all have a good purpose in mind, but can we afford it, do we need it and what needs to be done to make sure everything is done right. Discussion followed. Mr. Van Valkenburg asked if Council had his memorandum that he requested to have someone make a matter for the record and if Council has any questions they have his contact information. He asked before the next meeting to make sure all the legal issues are addressed. He did not want to slur any of these people, make that for the record, he just wanted it to be right.

Curtis Christensen, 7812 Dugan Dr., came forward and clarified that he is a church member and on the radio board. He gave an overview of the landscape screening, what cost would be associated with it and the procedure followed as who had authorization to sign as permittee. He said the church council voters assembly approved this project in January or June of 2014, with the condition that support of the radio station not be put on the church budget.

Council Member Christensen moved to continue the Public Hearing until July 20, 2015.

Seconded by Lamm and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

This matter was taken under advisement.

7:40 p.m. - Council took break.

7:45 p.m. - Council reconvened.

TEXT AMENDMENT 15007 - AMENDING SECTION 27.06.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE HOUSEHOLD LIVING USE GROUP TO ALLOW DWELLINGS FOR CARETAKERS, RESIDENTIAL WATCHMEN, AND SUPERVISORY PERSONNEL AS A PERMITTED USE IN THE B-1, B-2, AND B-3 ZONING DISTRICTS; AND REPEALING SECTION 27.06.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - Lori Tackett, 1980 Ryon St., came forward and stated they are opening a dog kennel and would like to have someone in residence 24-7.

This matter was taken under advisement.

TEXT AMENDMENT 15004 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY AMENDING SECTIONS 27.06.080, 27.63.530, AND 27.72.010 TO ALLOW A HEALTHCARE FACILITY, RESIDENTIAL AS A SPECIAL PERMITTED USE IN THE AG ZONING DISTRICT ON A LOT WHICH HAS FIVE OR MORE ACRES; AMENDING SECTION 27.63.090 TO ALLOW DWELLINGS FOR MEMBERS OF RELIGIOUS ORDERS ON A LOT WHICH HAS FIVE OR MORE ACRES; AND REPEALING SECTIONS 27.06.080, 27.63.090, 27.63.530, AND 27.72.010 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - Jeremy Williams, 1609 N St. #2, Design Associates, came forward and said this was to clean up some zoning related to a business that was permitted as a group home, but that was not how they were actually functioning.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 15006 - DECLARING APPROXIMATELY 5,155 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 801 SOUTH 27TH STREET AS SURPLUS PROPERTY - Steve Henrichsen, Planning Dept., came forward and said this would allow the property to be ultimately sold to someone who would redevelop it with the adjoining property. Discussion followed.

Rick Peo, Assistant City Attorney, came forward and stated there may be some conditions on the sale, but that has not been fully finalized yet.

This matter was taken under advisement.

ANNEXATION 15004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 21 ACRES OF PROPERTY GENERALLY LOCATED AT 4949 YANKEE HILL ROAD, BETWEEN SOUTH 48TH AND SOUTH 52ND STREETS. (RELATED ITEMS: 15-83, 15-84); CHANGE OF ZONE 15013 - APPLICATION OF EDWARD A. THOMPSON, EASTMONT AT YANKEE HILL PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW A RESIDENTIAL HEALTHCARE FACILITY AND ASSOCIATED USES, OFFICE USES, AND RESIDENTIAL USES PER THE R-3 ZONING DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 52ND STREET AND YANKEE HILL RD. (RELATED ITEMS: 15-83, 15-84) - Carol Ernst, 6315 O St. at Eastmont, came forward and said with her, from Olsson Associates, were Jeff Ahl and Brad Marshall, also attorney Kent Seacrest and three members of their executive board, Jill Jensen, Jim Essay, and Catherine Campbell. Present too, were elected resident board members, Leanna Carr, Shirley Bair, Dick Longacre and Dr. David Dyke. Ms. Ernst gave a brief history overview of their private not for profit corporation. They have had various analysis done for this project, neighborhood meetings and have conducted at least 3 focus groups. The plan is to have 102 independent living units, 48 total assisted living units, 16 which would be memory care and 24 nursing units which include long term care and skilled rehab.

Kent Seacrest, 1111 Lincoln Mall #350, came forward and stated this has been a challenging site due to a gas line in the south right-of-way of Yankee Hill Road. The Health Dept. has recommended a set back of 221 ft. to ensure that no rooms would be in that area. He said by working closely with Public Works and the Planning Dept., they have been able to work out their differences. Discussion followed.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 15001 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN, BY CHANGING THE FUTURE LAND USE PLAN DESIGNATION FROM "RESIDENTIAL-URBAN DENSITY" TO "COMMERCIAL", ON PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86) (ACTION DATE: 7/13/15);

ANNEXATION 15005 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 85.73 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 40TH AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86);

CHANGE OF ZONE 15016 - APPLICATION OF LEO SCHUMACHER, LINCOLN FEDERAL BANCORP, INC., WILDERNESS CREEK PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT

PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW FOR A MIX OF COMMERCIAL AND RESIDENTIAL USES, INCLUDING AREAS DESIGNATED FOR H-4 GENERAL COMMERCIAL DEVELOPMENT, R-3 RESIDENTIAL DEVELOPMENT, AND R-5 RESIDENTIAL DEVELOPMENT, ON PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86) - Michael Rierden, 645 M St, #200, came forward on behalf of Lincoln Federal Banc Corp, and stated they have come up with a plan which is good for the site and answers concerns about the pipeline. If approved, it would allow approximately 300 apartment units, 2,000 sq. ft. of commercial space and 110 single family units. They have agreed to all of the conditions the Planning staff has set forth.

Council Member Raybould questioned the trail that runs through the property line.

Brad Marshall, 601 P St, #200, Olsson & Associates, came forward and said the trail was part of the previously approved plan with Wilderness Hills and there is a natural drainage way that cuts through. They have put in a couple of out lots to maintain that area. It will extend from Yankee Hill where the trail system comes up from the north side of Pine Lake Heights and will go underneath Yankee Hill Rd. and will follow the trail down to the south roadway. There is an extension down to the LPS property on the south side and there will be a connector through the property as well.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

APPROVING A MULTI-YEAR CONTRACT BETWEEN IOWA COLLEGE OF ACQUISITION DOING BUSINESS AS KAPLAN UNIVERSITY AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO PROVIDE FEDERAL WORK STUDY STUDENTS AN INTERNSHIP OPPORTUNITY IN PUBLIC HEALTH FOR THE TERM OF JULY 1, 2015 THROUGH JUNE 30, 2017 - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89057

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Service Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department (LLCHD), and Iowa College of Acquisition dba Kaplan University, to provide Federal Work Study students an internship opportunity in public health for the term of July 1, 2015 through June 30, 2017, upon the terms and conditions set forth in said Service Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to forward one fully executed original of said Agreement to Judy Halstead, Lincoln-Lancaster County Health Department Director, for transmittal to Kaplan University.

Introduced by Cyndi Lamm

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND TEKNION, LLC TO PROVIDE FURNITURE AND INSTALLATION, PURSUANT TO TCPN CONTRACT NO. R142214, FOR A THREE YEAR TERM WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE YEAR TERMS - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89058

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract between the City of Lincoln and Teknion, LLC to provide Furniture and Installation, pursuant to TCPN Contract No. R142214, for a three-year term, with the option to renew for two additional one year terms, upon the terms and condition as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Cyndi Lamm

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, JULY 27, 2015, AT 5:30 P.M. FOR BOARD OF EQUALIZATION MEETING SPECIAL ASSESSMENT GROUP I - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89059

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the City Clerk be and she is hereby instructed to give ten days' notice by publication according to law that the City Council will at a regular meeting on Monday, July 20, 2015, at 3:00 p.m., assess the improvements in the following special assessment districts:

Water District 1204 - Dudley St., 50th St. to 51st St.

Water District 1205 - W. Prospector Ct., S. Folsom St. to SW 6th St.; SW 6th St. from W. Prospector Ct. to approx. 400 ft. south of W. High St.; and in W. High St. from S. Folsom St. to SW 6th St.

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, July 27, 2015, at 5:30 P.M. with adjournments from day to day until said work of equalizing such assessments are completed.

Introduced by Cyndi Lamm

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON JUNE 8, 2015. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY CITY COUNCIL ON JUNE 15, 2015. **(27-1)**

LINCOLN ELECTRIC SYSTEM'S QUARTERLY FINANCIAL REPORT FIRST QUARTER 2015 JANUARY - MARCH - CLERK presented said report which was placed on file in the Office of the City Clerk. **(40)**

### **PETITIONS & COMMUNICATIONS**

SETTING THE HEARING DATE OF MONDAY, JULY 13, 2015 AT 3:00 P.M. ON THE APPLICATION OF JUNTO, LLC DBA JUNTO WINERY OF SEWARD, NEBRASKA, FOR AN OUTDOOR SDL TO COVER AN AREA APPROXIMATELY 10' X 10', AT THE FALLBROOK FARMERS MARKET IN FALLBROOK TOWN SQUARE AT 470 FALLBROOK BLVD. ON JULY 30TH, AUGUST 27TH AND SEPTEMBER 24TH, 2015 FROM 3:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89060 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 13, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the Application of Junto, LLC dba Junto Winery of Seward, Nebraska, for an Outdoor SDL to cover an area approximately 10' x 10', at the Fallbrook Farmers Market in Fallbrook Town Square at 470 Fallbrook Boulevard July 30th, August 27th and September 24th, 2015 from 3:00 p.m. to 9:00 p.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, JULY 13, 2015 AT 3:00 P.M. ON THE APPLICATION OF OLD FEDERAL PLACE, LLC, FOR AN OUTDOOR SDL TO COVER AN OUTDOOR AREA APPROXIMATELY 178' X 137' AT THE GRAND MANSE, 129 N. 10TH ST. ON AUGUST 6, 2015 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89061 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 13, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the Application of Old Federal Place, LLC, for an Outdoor SDL to cover an outdoor area approximately 178' x 137' at the Grand Manse, 129 N. 10th St. on August 6, 2015 from 8:00 a.m. to 2:00 a.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, JULY 13, 2015 AT 3:00 P.M. ON THE APPLICATION OF OLD FEDERAL PLACE, LLC, FOR AN OUTDOOR SDL TO COVER AN OUTDOOR AREA APPROXIMATELY 28' X 260' AT THE GRAND MANSE, 129 N. 10TH ST. ON SEPTEMBER 5TH, SEPTEMBER 12TH, SEPTEMBER 26TH, OCTOBER 10TH, OCTOBER 24TH, NOVEMBER 7TH AND NOVEMBER 27TH, 2015 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89062 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 13, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the Application of Old Federal Place, LLC, for an Outdoor SDL to cover an outdoor area approximately 28' x 260' at the Grand Manse, 129 N. 10th St. on September 5th, September 12th, September 26th, October 10th, October 24th, November 7th and November 27th, 2015 from 8:00 a.m. to 2:00 a.m.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 80**

SETTING THE HEARING DATE OF MONDAY, JULY 13, 2015 AT 3:00 P.M. ON THE APPLICATION OF HILLIS & COMPANY DBA HILLIS & COMPANY FOR A DELETION FROM THEIR LICENSED PREMISE OF AN AREA MEASURING APPROXIMATELY 50' X 50' WHICH IS THE SECOND FLOOR OF THEIR BUILDING AT 230 N. 7TH ST. - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-89063 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 13, 2015 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the Application of Hillis & Company dba Hillis & Company for a deletion from their licensed premise of an area measuring approximately 50' x 50' which is the second floor of their building at 230 N. 7th St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jane Raybould

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**LIQUOR RESOLUTIONS**

APPLICATION OF FRED WANISKA DBA THE BIG ROOM EVENT CENTER FOR A CLASS I LIQUOR LICENSE AT 2310 NORTH 1ST STREET, SUITES 7, 8 & 9 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89064 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Fred Waniska dba The Big Room Event Center for a Class "I" liquor license at 2310 North 1st Street, Suites 7, 8 & 9, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.  
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

MANAGER APPLICATION OF FRED WANISKA FOR FRED WANISKA DBA THE BIG ROOM EVENT CENTER AT 2310 NORTH 1ST STREET, SUITES 7, 8 & 9 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89065 WHEREAS, Fred Waniska dba The Big Room Event Center located at 2310 North 1st Street, Suites 7, 8 & 9, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Fred Waniska be named manager;

WHEREAS, Fred Waniska appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Fred Waniska be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF RSB VOLLEYBALL, INC. DBA PLAYMAKERS SPORTS BAR & GRILL FOR A CLASS C LIQUOR LICENSE AT 640 WEST PROSPECTOR COURT, #100 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89066 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of RSB Volleyball, Inc. dba Playmakers Sports Bar & Grill for a Class "C" liquor license at 640 West Prospector Court, #100, Lincoln, Nebraska, for the license period ending October 31, 2015, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.



3. There be no business or personal alcohol related offenses by the applicant within the first year after approval.

4. The premises must comply in every respect with all city and state regulations.  
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.  
Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

MANAGER APPLICATION OF RYAN D. SCHEER FOR RSB VOLLEYBALL, INC. DBA PLAYMAKERS SPORTS BAR & GRILL AT 640 WEST PROSPECTOR COURT, #100 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89067 WHEREAS, RSB Volleyball, Inc. dba Playmakers Sports Bar & Grill located at 640 West Prospector Court, #100, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Ryan D. Scheer be named manager;

WHEREAS, Ryan D. Scheer appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Ryan D. Scheer be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF BARKEL ENTERPRISES, INC. DBA PANIC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 100 FEET BY 50 FEET AT 200 SOUTH 18TH STREET ON JULY 10 & 11, 2015 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89068 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Barkel Enterprises, Inc. dba Panic for a special designated license to cover an outdoor area measuring approximately 100 feet by 50 feet at 200 South 18th Street, Lincoln, Nebraska, on July 10 & 11, 2015, between the hours of 10:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF ZOO BLUES, INC. DBA ZOO BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA APPROXIMATELY 423 FEET BY 264 FEET AT 14TH STREET BETWEEN O AND P STREETS ON JULY 10, 2015 FROM 4:00 P.M. TO 1:30 A.M. AND JULY 11, 2015 FROM NOON TO 1:30 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89069 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zoo Blues, Inc. dba Zoo Bar for a special designated license to cover an outdoor area measuring approximately 423 feet by 264 feet at 14th Street between O and P Streets, Lincoln, Nebraska, on July 10, 2015, between the hours of 4:00 p.m. and 1:30 a.m. and July 11, 2015, between the hours of noon and 1:30 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 82**

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 786 FEET BY 428 FEET, LABELED FESTIVAL SPACE ON MAP 1, OUTDOOR AREA MEASURING APPROXIMATELY 176 FEET BY 83 FEET, LABELED STADIUM TERRACE ON MAP 1, AND OUTDOOR AREA MEASURING APPROXIMATELY 2,082 FEET BY 18 FEET, LABELED PEDESTRIAN BRIDGE ON MAP 1 AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON JULY 16, 2015 FROM 10:00 A.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89070 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage, LLC for a special designated license to cover an outdoor area measuring approximately 786 feet by 428 feet, labeled Festival Space on Map 1, outdoor area measuring approximately 176 feet by 83 feet, labeled Stadium Terrace on Map 1, and outdoor area measuring approximately 2082 feet by 18 feet, labeled Pedestrian Bridge on Map 1 at Pinnacle Bank Arena, 400 Pinnacle Arena Drive, Lincoln, Nebraska, on July 16, 2015, between the hours of 10:00 a.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF ZIPLINE BREWING CO., LLC DBA ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON JULY 3, 2015 FROM 1:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89071 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zipline Brewing Co., LLC dba Zipline Brewing Co. for a special designated license to cover an outdoor area measuring approximately 70 feet by 72 feet at 2100 Magnum Circle, Lincoln, Nebraska, on July 3, 2015, between the hours of 1:00 p.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF Y.A.M.S., INC. DBA JOYSTICKS ARCADE BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89072 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Y.A.M.S., Inc. dba Joysticks Arcade Bar for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF BW&R CANOPY, LLC DBA BUFFALO WILD WINGS AND RINGS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89073 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of BW&R Canopy, LLC dba Buffalo Wild Wings and Rings for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF PEACE A PIE, LLC DBA MELLOW MUSHROOM FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89074 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Piece a Pie, LLC dba Mellow Mushroom for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF BREEZY ISLAND, LLC DBA BREEZY ISLAND FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89075 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Breezy Island, LLC dba Breezy Island for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 84**

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF THE CLUB AT THE YARD, LLC DBA RULE G FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89076 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of The Club at the Yard, LLC dba Rule G for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF THE BAR AT THE YARD, LLC DBA LONGWELLS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89077 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of The Bar at the Yard, LLC dba Longwells for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF YIN FAMILY, LLC DBA HIRO88 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89078 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Yin Family, LLC dba Hiro88 for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA AT THE RAILYARD AT 300/350 CANOPY STREET ON JULY 16, 2015 FROM 3:00 P.M. TO 8:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89079 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Yard Investments, LLC dba Gate 25 for a special designated license to cover an outdoor area at The Railyard at 300/350 Canopy Street, Lincoln, Nebraska, on July 16, 2015, between the hours of 3:00 p.m. and 8:30 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. Obtain a Special Event Permit.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 42 FEET AT 1412 O STREET ON JULY 17, 2015 FROM 2:00 P.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89080 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Rhinodynamics, Inc. dba Duffy's Tavern for a special designated license to cover an outdoor area measuring approximately 55 feet by 42 feet at 1412 O Street, Lincoln, Nebraska, on July 17, 2015, between the hours of 2:00 p.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF RHINODYNAMICS, INC. DBA DUFFY'S TAVERN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 42 FEET AT 1412 O STREET ON AUGUST 29, 2015 FROM 1:00 P.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89081 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Rhinodynamics, Inc. dba Duffy's Tavern for a special designated license to cover an outdoor area measuring approximately 55 feet by 42 feet at 1412 O Street, Lincoln, Nebraska, on August 29, 2015, between the hours of 1:00 p.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 86**

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF KURT KONTOR DBA 501 BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 90 FEET BY 90 FEET AND INDOOR AREA MEASURING APPROXIMATELY 80 FEET BY 50 FEET AT 501 WEST A STREET ON JULY 18, 2015 FROM 8:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89082 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Kurt Kontor dba 501 Bar & Grill for a special designated license to cover an outdoor area measuring approximately 90 feet by 90 feet and indoor area measuring approximately 80 feet by 50 feet at 501 West A Street, Lincoln, Nebraska, on July 18, 2015, between the hours of 8:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF LINCOLN CHILDREN'S ZOO FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1500 FEET BY 400 FEET AT LINCOLN CHILDREN'S ZOO AT 1222 SOUTH 27TH STREET ON JULY 11, 2015 FROM 6:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89083 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lincoln Children's Zoo for a special designated license to cover an area measuring approximately 1500 feet by 400 feet at Lincoln Children's Zoo at 1222 South 27th Street, Lincoln, Nebraska, on July 11, 2015, between the hours of 6:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**PUBLIC HEARING - RESOLUTIONS**

APPOINTING MITCH PAINE TO THE AIR POLLUTION ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 1, 2017. (6/22/15 - REMOVED FROM CONSENT AGENDA FOR P.H. & ACTION ON 6/29/15) (MAYOR'S REQUEST TO WITHDRAW) - PRIOR to reading:

CHRISTENSEN Moved to Withdraw Bill No. 15R-126.

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The resolution, having been **WITHDRAWN**, was assigned the File #**38-4661** and was placed on file in the Office of the City Clerk.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2015. PRIOR to reading:

CHRISTENSEN MTA #1 to Bill No. 15R-133 in the following manner:

On page 2, line 40, the claim of Glen and Elaine Sanley should be in the amount of \$402.82.

Seconded by Lamm and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

CLERK                    Read the following resolution:  
A-89084                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                             That the claims listed in the attached report, marked as Exhibit "A", dated June 16, 2015, of  
various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or  
the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as  
required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the  
City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Jeremy Hoshor	\$ 1,000.00	Roger Kirby	\$1,056.78
Marilee Tucker	NAS*	Thuy Le	672.09
Shedra M. Edwards	NAS*	Norman Johnson	246.67
Alfonso Meza	542.70	Sergio Guiza Beltran	1,000.00
Scott Wolf	NAS*		
State Farm Insurance Co.			
a/s/o Joey W. Jensen	1,810.10		
Tim & Shelley Sherwood	127.28		
Judy Sinkler	267.50		
Joe Chaloupka	444.05		
Ernest L. Strasil	55,088.55		
Yolanda Williams	NAS*		
Hillary and Shawn Pospisil	2,125.00		
Ivan and Inna Strilkivsky	2,534.00		
Marvin Griggs	680.00		
Rhonda Bothe	1,190.00		
Todd Garrison	608.58		
Kyle Schwaninger	4,140.00		
James and Juelle Holz	21,278.22		
Albert Sherman	874.13		
William Rezac	20,074.52		
Thomas and Pearl Curry	1,933.69		
Thelma Helgren	2,520.71		
Andrew Ross	9,099.79		
Jama Compton	4,631.26		
Donald and Debra Thrailkill	3,273.27		
Brian Michel	4,832.99		
Jimmy W. Hill and Sara M. Kinney	1,491.80		
Kristi Robinson	4,006.00		
Susan J. Dermer	10,226.02		
Tammy Wilson	NAS*		
James W. Gelinne	1,599.54		
Scott and Cathy Norquest	12,645.08		
Deborah L. (Rima) Wilson	11,644.71		
Farmer Mutual of Nebraska			
a/s/o Deborah Wilson	5,000.00		
Mark Severson	1,581.02		
Richard Avila	17,405.00		
Tom Gewecke	3,736.32		
Tom Gewecke	1,318.28		
Roger and Nancy Bruner	1,029.97		
Stephanie Sullivan	10,000.00		
Glen and Elaine Sanley	<del>4,782.96</del> 402.82		
Xuan T. Duong	NAS*		
Mike and Julie Deeter	10,000.00		
James K. Bailey	8,975.00		
Clint and Lorie Bundy	8,550.00		
Orchard Street Investments	NAS*		
Stephanie Sullivan	15,000.00		
Amy Bryan	NAS*		
Toby Casper	2,000.00		
Donald and Phyllis Malone	2,931.40		
Brent Van Winkle	2,452.84		
Thuy Nguyen	NAS*		
Alexandra N. Cohoon	2,189.99		
Helen Iromuanya	13,024.00		
Don Hartshorn	2,032.00		
Marion Gallentine	NAS*		
Reva Richardson	39,997.00		
Marae Raddatz	2,497.86		
Vanessa Wasser	10,905.00		
Albert and Marcia Sherman	2,587.64		

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 88**

DENIED CLAIMS (cont.)

Vicki White	NAS*
Luke Mattison	3,736.00
John Vondracek	495.00
Eddie and Stephanie Key	7,440.00
Todd Garrison	1,128.67
Farmers Insurance	
a/s/o Katrina Wilson	5,000.00
Travelers Insurance	
a/s/o Christine Franklin	NAS*
Shawn and Hillary Pospisil	9,332.65
Jim McFarland	75.00
Shana and Anthony Stark	3,183.77
Nancy Shulz	17,642.00
Karen and Habib Rubeiz	17,125.00
Darrin Salazar	9,175.00
Ryon Saathoff	482.35
Jody and Nate Patterson	NAS*
Curt B. Yager	12,860.87
David R. Anderson	500.00
Robert and Judy Spencer	1,000.00
Thomas and Pearl Curry	4,454.00
Kris Eubanks	4,113.50
Glen and Elaine Sanley	4,782.96
Travelers Insurance	
a/s/o Tom D. Bade	NAS*
Ivan and Inna Strilkivsky	29,000.05
Jama Compton	3,832.91
Patricia A. Knee	NAS*
Allan and Tracy Went	5,259.00
Gerald Splear	NAS*
Michelle Sackett	NAS*
Michael Cronk	21,054.79
John and Megan Lindquist	8,590.00
Douschika Coleman	3,850.00
Brian Michel	7,510.36
Joe Chaloupka	1,500.00
Joe Schroedl	14,414.24
Todd and Ngoc-Thanh Benson	16,898.91
Kevin and Marilyn Hagerbaumer	3,076.20
Kathryn Egger	8,600.00
James and Juelle Holz	9,202.92
Ambree Ann Tucker	779.70
Kyle Schwaninger	13,733.13
Kimberly D. Moore	NAS*
Lloyd and Shirley Thompsen	5,024.09

\*No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

CHRISTENSEN Moved to pass the resolution as amended.

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; ABSENT: Gaylor Baird; NAYS: None.

APPROVING THE FISCAL YEAR 2015 ANNUAL ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS USING COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG), HOME, AND EMERGENCY SOLUTIONS GRANTS (ESG) FUNDS - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89085 WHEREAS, the City of Lincoln, Nebraska, acting by and through the Mayor as the Chief Executive Officer and the City Council as the Legislative body of this City, with full citizen participation with reference thereto and in full compliance with the U.S. Department of Housing and Urban Development requirements, has prepared the City of Lincoln FY 2015 Annual Action Plan: One Year Use of Funds outlining the activities and initiatives of Urban Development for Community Development Block Grant (CDBG), HOME, and Emergency Solutions Grant (ESG) entitlement funds from HUD Entitlement Programs under the provisions of 24 C.F.R., Part 91, et al.; and

WHEREAS, such plan includes the proposed community development activities and community development objectives, all prepared in full compliance with the requirements, instructions, and recommendations contained in the Community Development Block Grant Regulations, HOME Investment Partnerships Act Regulations, and the McKinney-Vento Homeless Assistance Act of 1987; and

WHEREAS, such plan and the items contained therein and each of them appear to be in the best interest of the City of Lincoln, Nebraska; and



WHEREAS, certain assurances must be incorporated into the City of Lincoln's FY 2015 Action Plan, as prescribed in the Community Development Block Grant Regulations, the HOME Investment Partnerships Act Regulations and 24 C.F.R., Part 91, and the McKinney-Vento Homeless Assistance Act, including Title 24 C.F.R., Part 576.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the FY 2015 Action Plan, a copy of which is attached hereto, is hereby approved and the Mayor is authorized to submit the FY 2015 Action Plan to the Department of Housing and Urban Development for total grants for Fiscal Year 2015 in the amount of \$2,482,320 (\$1,607,817 CDBG; \$725,561 HOME; and \$148,942 ESG) under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, Title IV of Subtitle B of the Stewart B. McKinney Homeless Assistance Act of 1988, as amended, and each and every item included therein is hereby approved. The Mayor and other City officials charged with responsibilities pertinent to the proposed certifications are hereby authorized to execute said certifications for and on behalf of the City of Lincoln, Nebraska, and the Mayor is hereby authorized and directed to execute said statement for and on behalf of the City of Lincoln, Nebraska, to submit same to the Secretary of Housing and Urban Development, or his designate, in the form and substance as required by the Community Development Block Grant Regulations and HOME Investment Partnerships Act Regulations, and to supplement such Action Plan in any way reasonably required by the Department of Housing and Urban Development to expedite approval of the same.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska, hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements of Federal Management Circulars 74-4 and 74-7 and OMB Circular A-87 and 24 Code of Federal Regulations, Part 85, as they relate to the Action Plan and acceptance and use of Federal funds for the City's federally-assisted programs.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska hereby assures and certifies with respect to the FY 2015 Action Plan that:

1. The City will affirmatively further fair housing.
2. The City has in effect and is following a residential anti-displacement and relocation assistance plan.
3. The City will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about -
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantee's policy of maintaining a drug-free work-place;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by subparagraph (1);
  - d. Notifying the employee in the statement required by sub-paragraph (a) that, as a condition of employment under the grant, the employee will:
    - i. Abide by the terms of the statement; and
    - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.ii. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.ii., with respect to any employee who is so convicted -
    - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
  - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs a, b, c, d, e, and f.
4. The City will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms if required by that part. The City further certifies that to the best of the City's knowledge and belief:

a. No federal appropriated funds have been paid or will be paid, by or on behalf of the City, to any person for influencing or attempting to influence any officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;

b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c. The City will require that the language of paragraph 4 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

5. The City possesses legal authority under state and local law to make a grant submission and to carry out the proposed community development and housing program for which it is seeking funding in accordance with applicable HUD regulations. By passage of this resolution, the Mayor, as the official representative of the City of Lincoln, is hereby authorized to submit the Action Plan, including all the understandings and assurances contained therein. Further, the Mayor is hereby directed and authorized to act in connection with the submission of the Action Plan and to provide such additional information as may be required.

6. The housing activities to be undertaken with CDBG and HOME funds are consistent with the City's strategic plan.

7. The City will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 24 C.F.R. § 570.606(b) and Federal implementing regulations; and the requirements in 24 C.F.R. § 570.606(c) governing the residential antidisplacement and relocation assistance plan under Section 104(d) of the Act (including a certification that the grantee is following such a plan); and the relocation requirements of 24 C.F.R. § 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act.

8. The City will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assures and certifies with respect to the Community Development Block Grant program portion of the FY 2015 Action Plan that:

1. The City is in full compliance and following a detailed citizen participation plan that satisfies the requirement of 24 CFR § 91.105 and which:

a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the City;

b. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;

c. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;

d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

e. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and

f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;

2. The City's strategic housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been in accordance with the primary objective of the statute authorizing the CDBG Program, as described in 24 CFR 570.2 and the requirements of 24 CFR Part 91 Subpart C and 24 CFR Part 570.

3. The City is following a current HUD approved consolidated plan.

4. The City has developed its final statement of projected use of funds so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight; (the final statement of projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available); except that the aggregate use of CDBG funds received under Section 106 of the Act and, if applicable, under Section 108 of the Act, during program year 2015 shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons during such period.

The City will not attempt to recover any capital costs of public improvements assisted in whole or in part

with funds provided under Section 106 of the Act or with amounts resulting from a guarantee under Section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

a. Funds received under Section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or

b. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the City certifies to the Secretary that it lacks sufficient funds received under Section 106 of the Act to comply with the requirements of subparagraph (1) above.

5. The City has adopted and is enforcing:

a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

b. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

6. The City will conduct and administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C. 2000d et seq.), the Fair Housing Act (42 U.S.C. 3601-19), and implementing regulations.

7. The City's notification, inspection, testing, and abatement procedures concerning lead-based paint will comply with 24 C.F.R. § 570.608.

8. The City will comply with all applicable laws.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the HOME program portion of the FY 2015 Action Plan that:

1. The City is using and will use HOME funds for eligible activities and costs, as described in §§ 92.205 through 92.209 of 24 C.F.R., Subtitle A, and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214 of 24 C.F.R. Subtitle A;

2. Before committing funds to a project, the City will evaluate the project in accordance with guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other federal assistance than is necessary to provide affordable housing.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the Emergency Solutions Grant (ESG) program portion of the FY2015 Action Plan that:

1. If either the cost of an emergency shelter's rehabilitation or the cost to convert a building into an emergency shelter exceed 75 percent of the value of the building before rehabilitation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of ten (10) years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation or conversion;

2. In all other cases where ESG funds are used for renovation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of three (3) years after the date the building is first occupied by a homeless individual or family after the completed renovation;

3. In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the City will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the City serves the same type of persons or persons in the same geographic area;

4. Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;

5. The City will assist homeless individuals in obtaining permanent housing, appropriate supportive services, and other Federal, State, local, and private assistance available for these individuals;

6. The City will obtain matching amounts required under 24 CFR 576.201;

7. The City has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter;

8. To the maximum extent practicable, the City will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services under the program, and in providing services for occupants of facilities assisted under the program;

9. All activities the City undertakes with assistance under the ESG are consistent with the City's consolidated plan; and

10. The City will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions of care in order to prevent this discharge from immediately resulting in homelessness for these persons.

Introduced by Cyndi Lamm

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**REGULAR MEETING  
JUNE 29, 2015  
PAGE 92**

SPECIAL PERMIT 15032 - APPLICATION OF ST. TERESA CHURCH TO CONSTRUCT A PARKING LOT IN A RESIDENTIAL DISTRICT WITH A REDUCTION OF THE FRONT AND SIDE YARD SETBACKS, ON PROPERTY GENERALLY LOCATED AT 710 SOUTH 36TH STREET - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-89086 WHEREAS, St. Teresa Church has submitted an application designated as Special Permit No. 15032 to construct a parking lot in a residential district and to allow a reduction of the front and side yard setbacks on property generally located at 710 South 36th Street, legally described as:

Lots 17 and 18, Lyman Park, located in the Northeast Quarter of Section 30,  
Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County,  
Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this parking lot will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of St. Teresa Church, hereinafter referred to as "Permittee", to construct a parking lot in a residential district and to reduce the front and side yard setbacks, on property legally described above be and the same is hereby granted under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that construction of said parking lot be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a parking lot in a residential district with a waiver to reduce the front yard setback from 25 feet to 8 feet on South 36th Street and to reduce the side yard setback from 5 feet to 0 feet.
2. Before receiving building permits:
  - a. The Permittee shall submit a revised and reproducible site plan including four copies showing the following revisions to the Planning Department for review and approval:
    - i. Add a note that states, "Parking stalls shown on this plan are conceptual and subject to minor adjustments."
    - ii. Add to the General Notes, " Signs need not be shown on this site plan, but need to be in compliance with Chapter 27.69 of the Lincoln Zoning Code, and must be approved by Building & Safety Department prior to installation".
    - iii. Add a note to the plan that states, "The front yard setback along South 36th Street is reduced from 25 feet to 8 feet. No portion of the vehicles may be parked in the front yard setback."
    - iv. Add a note to the plan that states, "The landscaping will be installed at the time of building permit."
  - b. The Permittee shall provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
  - c. The Permittee shall provide verification from the Register of Deeds that the required easements as shown on the site plan have been recorded.
  - d. The construction plans must substantially comply with the approved plans.
3. Before occupying the parking lot, all development and construction shall substantially comply with the approved plans.
4. All privately-owned improvements, including landscaping, shall be permanently maintained by the Permittee.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Cyndi Lamm

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SPECIAL PERMIT 15025 - APPLICATION OF GOOD SHEPHERD LUTHERAN CHURCH TO CONSTRUCT A 100-FOOT BROADCAST TOWER AT GOOD SHEPHERD LUTHERAN CHURCH, ON PROPERTY GENERALLY LOCATED AT 3825 WILDBRIAR LANE. (MTA #1) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing & Action to 07/20/15.

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

- TEXT AMENDMENT 15007 - AMENDING SECTION 27.06.070 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE HOUSEHOLD LIVING USE GROUP TO ALLOW DWELLINGS FOR CARETAKERS, RESIDENTIAL WATCHMEN, AND SUPERVISORY PERSONNEL AS A PERMITTED USE IN THE B-1, B-2, AND B-3 ZONING DISTRICTS; AND REPEALING SECTION 27.06.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Cyndi Lamm, amending Section 27.06.070 of the Lincoln Municipal Code relating to the Household Living Use Group to allow dwellings for caretakers, residential watchmen, and supervisory personnel as a permitted use in the B-1, B-2, and B-3 zoning districts; and repealing Section 27.06.070 of the Lincoln Municipal Code as hitherto existing, the second time.
- TEXT AMENDMENT 15004 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY AMENDING SECTIONS 27.06.080, 27.63.530, AND 27.72.010 TO ALLOW A HEALTHCARE FACILITY, RESIDENTIAL AS A SPECIAL PERMITTED USE IN THE AG ZONING DISTRICT ON A LOT WHICH HAS FIVE OR MORE ACRES; AMENDING SECTION 27.63.090 TO ALLOW DWELLINGS FOR MEMBERS OF RELIGIOUS ORDERS ON A LOT WHICH HAS FIVE OR MORE ACRES; AND REPEALING SECTIONS 27.06.080, 27.63.090, 27.63.530, AND 27.72.010 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Cyndi Lamm, amending Title 27 of the Lincoln Municipal Code relating to the Zoning Code by amending Sections 27.06.080, 27.63.530, and 27.72.010 to allow a Healthcare Facility, Residential as a special permitted use in the AG zoning district on a lot which has five or more acres; amending Section 27.63.090 to allow dwellings for members of religious orders on a lot which has five or more acres; and repealing Sections 27.06.080, 27.63.090, 27.63.530, and 27.72.010 of the Lincoln Municipal Code as hitherto existing, the second time.
- COMP. PLAN CONFORMANCE 15006 - DECLARING APPROXIMATELY 5,155 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 801 SOUTH 27TH STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Cyndi Lamm, declaring approximately 5,155 square feet of City owned property generally located at 801 South 27th Street as surplus, the second time.
- ANNEXATION 15004 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 21 ACRES OF PROPERTY GENERALLY LOCATED AT 4949 YANKEE HILL ROAD, BETWEEN SOUTH 48TH AND SOUTH 52ND STREETS. (RELATED ITEMS: 15-83, 15-84)- CLERK read an ordinance, introduced by Cyndi Lamm, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.
- CHANGE OF ZONE 15013 - APPLICATION OF EDWARD A. THOMPSON, EASTMONT AT YANKEE HILL PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW A RESIDENTIAL HEALTHCARE FACILITY AND ASSOCIATED USES, OFFICE USES, AND RESIDENTIAL USES PER THE R-3 ZONING DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 52ND STREET AND YANKEE HILL RD. (RELATED ITEMS: 15-83, 15-84) - CLERK read an ordinance, introduced by Cyndi Lamm, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.
- COMP. PLAN AMENDMENT 15001 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN, BY CHANGING THE FUTURE LAND USE PLAN DESIGNATION FROM "RESIDENTIAL-URBAN DENSITY" TO "COMMERCIAL", ON PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86) (ACTION DATE: 7/13/15)
- ANNEXATION 15005 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 85.73 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 40TH AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86) - CLERK read an ordinance, introduced by Cyndi Lamm, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.
- CHANGE OF ZONE 15016 - APPLICATION OF LEO SCHUMACHER, LINCOLN FEDERAL BANCORP, INC., WILDERNESS CREEK PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND

SUBDIVISION ORDINANCE TO ALLOW FOR A MIX OF COMMERCIAL AND RESIDENTIAL USES, INCLUDING AREAS DESIGNATED FOR H-4 GENERAL COMMERCIAL DEVELOPMENT, R-3 RESIDENTIAL DEVELOPMENT, AND R-5 RESIDENTIAL DEVELOPMENT, ON PROPERTY GENERALLY LOCATED AT SOUTH 40TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 15R-137, 15-85, 15-86) - CLERK read an ordinance, introduced by Cyndi Lamm, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

**ORDINANCES - 3<sup>rd</sup> READING & RELATED RESOLUTIONS - (as required)**

AMENDING CHAPTER 12.08 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKS, GENERAL RULES AND REGULATIONS, BY AMENDING SECTIONS 12.08.010 AND 12.08.270, PROVIDING A DEFINITION OF "FUNDRAISING", AND ADDING THE WOODS PARK TENNIS CENTER TO THE LIST OF FACILITIES WHERE ALCOHOLIC BEVERAGES MAY BE SERVED DURING FUNDRAISING ACTIVITIES - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 12.08 of the Lincoln Municipal Code relating to Parks, General Rules and Regulations, by amending Section 12.08.010 to add a definition for "fundraising activities"; amending Section 12.08.270 to allow alcoholic liquor to be served on the premises of the Woods Park Tennis Center in conjunction with fundraising; and repealing Sections 12.08.010 and 12.08.270 of the Lincoln Municipal Code as hitherto existing, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20207**, is recorded in Ordinance Book 29.

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A FIVE YEAR TERM, WITH THE OPTION OF (3) FIVE YEAR RENEWALS, BETWEEN THE CITY OF LINCOLN AND LEVEL 3 COMMUNICATIONS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Level 3 Communications, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a five year term, with the option of (3) five year renewals, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Raybould and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20208**, is recorded in Ordinance Book 29.

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT FOR A TWENTY YEAR TERM BETWEEN THE CITY OF LINCOLN AND UNITE PRIVATE NETWORKS, LLC TO OCCUPY SPACE IN THE CITY'S LINCOLN TECHNOLOGY IMPROVEMENT DISTRICT CONDUIT SYSTEM PURSUANT TO THE TERMS AND CONDITIONS IN THE AGREEMENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Conduit System Lease Agreement between the City of Lincoln, Nebraska and Unite Private Networks, LLC to occupy space in the City's Lincoln Technology Improvement District conduit system for a twenty year term, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Camp and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20209**, is recorded in Ordinance Book 29.

APPROVING THE LICENSE AGREEMENT FOR PARKING BETWEEN THE CITY OF LINCOLN AND THE OWNERS OF THE RETAIL SPACE UNIT #3 IN THE ACTIVE LIVING CENTER FOR THE USE OF FOUR PARKING SPACES WITHIN THE UNION PLAZA PARKING LOT GENERALLY LOCATED NORTH OF NORTH 21ST STREET AND Q STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, accepting and approving the License Agreement between the City of Lincoln, Nebraska and the owners of the Retail Space Unit #3 in the Active Living Center to designate four parking spaces in the Union Plaza parking lot generally located north of North 21st Street and q Street for use by Douglas Dittman and Krista Peeks, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Camp and carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20210**, is recorded in Ordinance Book 29.

**RESOLUTIONS - 1<sup>ST</sup> READING**

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND ALAMAR UNIFORMS AND A CONTRACT BETWEEN THE CITY OF LINCOLN AND W.S. DARLEY & CO. FOR THE ANNUAL SUPPLY OF LINCOLN FIREMAN UNIFORMS AND BADGES, PURSUANT TO BID NO. 15-078, FOR A FOUR YEAR TERM. (CONSENT)

AUTHORIZING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) FOR THE REHABILITATION OF THE L55X BRIDGE OVER SALT CREEK ON NORTH 56TH STREET. PROJECT NO. NH-L55X (103), CN 13194.

AUTHORIZING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED TO COMPLETE THE FRACTURE CRITICAL BRIDGE INSPECTION OF THE EAST LEG OF THE BIG 'X', THE EASTBOUND ROSA PARKS BRIDGE, AND A BRIDGE FOR ACCESS TO CITY OF LINCOLN PROPERTY AT THE ASHLAND WATER TREATMENT PLANT. PROJECT NO. STP-NBIS (102), CN 00924.

**ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)**

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND GREEN RIVER PROPERTIES, LLC FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 344 NORTH 27TH STREET - CLERK read an ordinance, introduced by Jane Raybould, approving a Real Estate Sales Agreement between the City of Lincoln and Green River Properties, LLC authorizing the sale of City owned property generally located at 344 North 27th Street, Lincoln, Nebraska, the first time.

**OPEN MICROPHONE**

Jane Svoboda, no address given, came forward with comments on various issues.  
This matter was taken under advisement.

**ADJOURNMENT**

**8:21 P.M.**

CAMP                      Moved to adjourn the City Council Meeting of June 29, 2015.  
                                    Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Eskridge,  
Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

---

Teresa J. Meier, City Clerk

---

Alexis Traylor, Office Specialist

